GPN-J-332-ARHCB-8_94-13,10,500-ALA4.
SPL.H.C.A.S.C.D. 79e.

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE.
CRIMINAL APPLICATION NO. 1168 OF 2005

The State of Maharashtra ...Applicant

versus

Suresh Mahadu Patil and ors. ...Respondent.

Office Notes, Office Memorada orders or directions and Registrar‘s orders.

Court‘s or Judge‘s Orders.

Mrs. V.R.Bhonsale APP for State.
Shri R.D. Suryawanshi for Respdt.

CORAM; V.G. PALSHIKAR &
SMT. NISHITA MHATRE, JJ.

DTAED; 12TH APRIL, 2005.

P.C.

1. By this application, the order of acquittal passed by the learned trial Judge in Sessions Case No. 194/98 is challenged. The accused were prosecuted for rape. The learned trial Judge has appreciated the entire evidence on record and has come to the conclusion that there is total failure to prove sexual intercourse without consent of the prosecutrix. Circumstances existing then also speak of

earlier acquitance. In such circumstances, it has become difficult to accept the testimony that even thereafter there was intercourse without consent. We see no reason to interfere with the order of acquittal in such circumstances. Application is therefore rejected.

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